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QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS

Note verbale dated 20 March 1996 from the Permanent Mission of Cuba to the United Nations Office at Geneva, addressed to the Centre for Human Rights

The Permanent Mission of Cuba to the United Nations Office and other international organizations with headquarters in Switzerland presents its compliments to the Centre for Human Rights and has the honour to request that the attached document entitled "Statement of the International Relations Committee of the National Assembly of the Republic of Cuba" be circulated as a document of the fifty-second session of the Commission on Human Rights, under item 5 of the provisional agenda.*

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* The annex is reproduced in the languages of the submission only.

Annex

STATEMENT OF THE INTERNATIONAL RELATIONS COMMITTEE OF THE NATIONAL ASSEMBLY OF THE REPUBLIC OF CUBA (PARLIAMENT) ON THE HELMS-BURTON ACT AIMED AT TIGHTENING AND INTERNATIONALIZING THE ECONOMIC, COMMERCIAL AND FINANCIAL BLOCKADE AGAINST CUBA

To all parliaments of the world

In an overt challenge to the international community, the United States Congress passed the Helms-Burton Law, aimed at tightening and internationalizing the economic, commercial and financial blockade against Cuba. In order to reach this inadmissible goal, the United States legislators have disregarded the warnings about the dangerous legal precedents that this legislation sets in terms of international relations, in flagrant contradiction with international law and the principles of free trade.

They have also disregarded the opinion of many Governments that have expressed their profound concern over the basic contents of this law, which seeks to oblige them to submit to United States laws. This law damages the sovereignty of all States of the world since it institutionalizes threats to and reprisals against Governments, companies and citizens of third countries which do not submit to the United States policy towards Cuba.

It legislates mandatory norms for the activities of international agencies and imposes financial losses and restrictions on United States citizens themselves, including those of Cuban origin, thus hampering their relations with their families residing in Cuba.

The law expands the blockade to the rest of the world in violation of the Charter of the United Nations and international treaties such as the agreements of the World Trade Organization; hence the immediate reaction of the European Union, Canada, Mexico, the Russian Federation and other Governments that are opposed to the United States seeking to extend the scope of its domestic legislation to other nations.

Concerning Cuba, all the provisions of this law are unacceptable, even without their extraterritorial implications.

The United States Congress seeks to impose 19 conditions on Cuba through this law, which defines, in broad terms, how our Government, political organization and economic system should be.

With these regulations, which are themselves an additional and virtually insoluble obstacle to the coexistence of such close neighbours, the Congressional decision to codify, in legislative terms, all the Presidential orders and measures related to the blockade adopted by 9 United States Administrations over 37 years has been added to the law, in such a way that henceforth, no United States President will have the prerogative to make his policy towards Cuba more flexible until the Congress so decides.

No kind of pressure will make Cuba relinquish its right to fight for national independence and sovereignty.

On the basis of the foregoing arguments, the International Relations Committee of the National Assembly of the Republic of Cuba

DECIDES

(a) To appeal to all Parliaments and parliamentarians of the world to reject these provisions of the United States Congress which seeks to give itself prerogatives over States, companies and citizens of third countries in violation of international law, and to consider the possibility of proposing national legislative measures to oppose this precedent of interference, which could alter the norms of coexistence in international relations;

(b) To consider this United States legislation in all its parts an affront to the dignity and national sentiment of the Cuban people, which will only reinforce its independentist conviction after 150 years of facing United States annexationist tendencies.

The United States Congress decided to protect the interests of important individuals, such as the henchmen and supporters of Batista's dictatorship, and of all those who, having become United States citizens, all these years have participated in the aggression against their homeland, granting them the right to claim retroactively their properties confiscated by the Revolution and to submit suits to the United States courts. These individuals had already received protection from the United States Government when they fled Cuba, before or after 1 January 1959, to evade their responsibility for the bloody events that turned the life of our country into a national tragedy.

The proof of the unlawful ways in which those citizens made their fortunes is registered in the public records. Because of misappropriated assets and direct links with the atrocities of the tyranny alone, we have more than 25,000 files on properties confiscated in the first few months following the triumph of the Revolution after 1 January 1959.

Taking into account the fact that, with this Congressional decision, the United States is assuming responsibility for all the damage caused to the nation by those individuals, this International Relations Committee of the National Assembly of the Republic of Cuba adopts the following:

AGREES

To recommend that the government bodies in question prepare an itemized account of the serious damages caused by the blockade and the United States aggression against our country, along with a detailed list of the damages caused by Batista's dictatorship and its supporters between 1952 and 1958, including embezzlement of currency reserves, theft from the public treasury, destruction due to acts of war and other acts that caused the death of 20,000 Cubans, so that they may form part of Cuba's claim against the Government of the United States.